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Attorneys for Plaintiffs
SAN FRANCISCO TAXI COALITION, et al.

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO TAXI COALITION,
et al.,

Plaintiffs,

vs.

CITY AND COUNTY OF SAN
FRANCISCO, et al.,

Defendants.

No. 19-01972-WHA

**PLAINTIFFS' NOTICE OF MOTION
AND MOTION FOR PRELIMINARY
INJUNCTION**

Hearing Date: May 30, 2019
Time: 8:00 a.m.
Dept.: Courtroom 12 – 19th Floor
450 Golden Gate Ave.
San Francisco, CA 94102

Trial Date: None Assigned

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

NOTICE IS HEREBY GIVEN THAT on Thursday, May 30, at 8:00 a.m., or as soon thereafter as the matter may be heard, in Courtroom 12 – 19th Floor, of the United States District Court for the Northern District of California, located at 450 Golden Gate Avenue, San Francisco, California 94102, Plaintiffs San Francisco Taxi Coalition, *et al.* will and do move the

1 Court for a preliminary injunction seeking to enjoin defendants San Francisco Municipal
2 Transportation Agency (“SFMTA”) and the City and County of San Francisco (the “City”)
3 from imposing restrictions and limitations on certain categories of taxicabs from picking up
4 passengers at San Francisco International Airport (“SFO”). The restrictions and limitations on
5 SFO passenger pickups were authorized by the SFMTA through a resolution by the SFMTA
6 Board in October, 2018 and were later imposed by the SFMTA’s Director of Transportation in
7 a directive dated December 27, 2018. The restrictions went into effect on February 1, 2019.

8 The SFMTA’s recent changes, already, are having devastating effects on the S.F. taxi
9 industry. Under the new rules, any taxicabs operating with medallions purchased from the City
10 after 2010 (“Purchased medallions”) have been granted super-priority status for passenger pick-
11 ups at SFO. Taxicabs with medallions issued by the City from 1978 to 2010 (“post-K
12 medallions”), which were earned but not purchased, have been given secondary status, meaning
13 that they now must go into a second tier waiting line at SFO and are allowed to pick up
14 passengers at a rate of not more than 1 pick-up for every 3 (or up to 8) pick-ups given to cabs
15 with Purchased medallions. Even worse, taxicabs using medallions sold by the City prior to
16 1978 are now prohibited outright from picking up passengers at SFO, resulting in a complete
17 collapse in the value of those medallions and loss of income for their owners.

18 This motion will be and is made pursuant on the grounds that Plaintiffs have shown by
19 their complaint and accompanying declarations and evidence that they are likely to prevail on
20 the merits of their claims and will suffer irreparable harm if the SFMTA’S new rules are not
21 enjoined. Plaintiffs are likely to prevail because the new restrictions are discriminatory and
22 violate Plaintiffs’ equal protection rights under the State and Federal Constitutions, were
23 imposed in violation of the California Environmental Quality Act (“CEQA”) and violate Gov’t
24 Code §11135, *et seq.* A preliminary injunction is necessary to return to the status quo that
25 existed prior to February 1, 2019, until final determination of the issues in this lawsuit.


26 A preliminary injunction is authorized under the law because Plaintiffs are likely to win
27 on the merits of their claims and the interim harm that certain plaintiffs will suffer if they are
28 not allowed to pick up passengers at SFO is vastly greater than any harm the SFMTA and City

1 will suffer if the restrictions are enjoined pending a final determination of the underlying claims
2 in this lawsuit.

3 This Motion will be and is based on this Notice of Motion and Motion, the
4 accompanying Memorandum of Points and Authorities in Support of the Motion, the supporting
5 Request for Judicial Notice, and multiple declarations that have been filed with the motion.

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7 Dated: May 14, 2019

BRUNETTI ROUGEAU LLP

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9 By:  for
Kenneth A. Brunetti

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11 Attorneys for Plaintiffs
12 SAN FRANCISCO TAXI COALITION,
13 et al.
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